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OCT 05 2005

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**fax**

*To:* The Hon. Commissioner of Patents and Trademarks

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*Date/Time:* 10/5/2005 3:11:38 PM

*Subject:* Notice of Appeal Ser. No. 10/614,114: Atty Dkt. 01064.0011-08-000

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PATENT

Attorney Docket No. 01064.0011-08-000  
Customer Number 34,986

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: )  
                            )  
Richard LEVY            )  
                            ) Group Art Unit: 1774  
Serial No.: 10/614,114    )  
                            )  
Filed: July 7, 2003     ) Examiner: Jill Gray  
                            )  
For: SUPERABSORBENT POLYMER    )  
COMPOSITIONS ON A        )  
SUBSTRATE (AS AMENDED)    )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

NOTICE OF APPEAL PURSUANT TO 37 C.F.R. § 41.31 (a)

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the July 19, 2005 second rejection of all of the claims pending in this application. Applicant submits PTO Form 2038 for payment of the Notice of Appeal fee of \$250.00 (small entity) pursuant to 37 C.F.R. § 41.20(b)(1).

Respectfully submitted,

THE LAW OFFICES OF ROBERT J. EICHELBURG

By: Robert J. Eichelburg, Reg. No. 23,057/

Dated: October 5, 2005

10/06/2005 TL0111 00000034 10614114

01 FC:2401

250.00 OP

Application No. 10/614,114

Notice of Appeal dated September 15, 2005

July 19, 2005 Office communication twice rejecting application claims.

Post Office Address (to which correspondence is to be sent)

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**CERTIFICATE OF FACSIMILE TRANSMISSION PURSUANT TO 37 C.F.R. § 1.6 (d)**

I hereby certify that this correspondence is being transmitted pursuant to 37 C.F.R. § 1.6(d) by facsimile to The United States Patent and Trademark Office at their Central FAX Number, (571) 273-8300, on the date indicated below.

Dated: October 5, 2005

By: /Robert J. Eichelburg, Reg. No. 23,057/

Application No. 10/614,114

Notice of Appeal dated September 15, 2005

July 19, 2005 Office communication twice rejecting application claims.